

# **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

## **MODIFIED NOTICE OF PROPOSED REGULATORY ACTION**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2  
AMEND CHAPTER 5, ARTICLE 5, SECTION 1141

### **Color Requirements for Traffic Law Enforcement Vehicles (CHP-R-2007-02) (Z07-1002-04)**

On October 12, 2007, the California Highway Patrol proposed to amend regulations in Title 13 California Code of Regulations (13 CCR) relating to color requirements for traffic law enforcement vehicles to conform to the legislative intent contained in Assembly Bill 3004 as enacted in the 2006 legislative session. This notice established a public comment period from October 12, 2007, through November 26, 2007. No public hearings were requested or held in regard to these proposed regulations. Modifications have been made to the originally proposed text, based on a comment received and further review of the issues.

#### **INFORMATIVE DIGEST/PLAIN ENGLISH OVERVIEW**

Color requirements for traffic law enforcement vehicles are described in 13 CCR, Division 2, Chapter 5, Article 5, Section 1141. This rulemaking action amends Section 1141 by allowing traffic law enforcement vehicles to be painted in a variety of distinctive colors and paint schemes. In doing so, the revised traffic law enforcement vehicle color requirements will conform to the legislative intent contained in Assembly Bill 3004 as enacted in the 2006 legislative session.

Since the last Notice of Proposed Regulatory Action, the California Highway Patrol has reconsidered this proposal to amend this regulation to include color requirements for traffic law enforcement motorcycles, consistent with the legislative intent contained in Assembly Bill 3004.

#### **PUBLIC COMMENTS**

Any interested person may submit written comments on this proposed action via facsimile at (916) 446-4579, by email to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov), or by writing to:

CHP, Enforcement Services Division  
Commercial Vehicle Section  
ATTN: Mr. Cris Morgan  
P. O. Box 942898  
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 PM, February 12, 2008.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section, no later than 15 days prior to the close of the written comment period.

### **AVAILABILITY OF INFORMATION**

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 446-4579 or by calling the CHP, Commercial Vehicle Section at (916) 445-1865. Facsimile requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state and zip code), and a daytime telephone number in case the information is incomplete or illegible.

The rulemaking file is available for inspection at the CHP, Commercial Vehicle Section, 444 North Third Street, Sacramento. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through our website at [www.chp.ca.gov/regulations](http://www.chp.ca.gov/regulations).

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our website.

### **CONTACT PERSON**

Any inquiries concerning the written materials pertaining to the proposed regulations should be directed to Mr. Cris Morgan or Mr. Gary Ritz, CHP, Commercial Vehicle Section, at (916) 445-1865. Inquiries regarding the substance of the proposed regulations should be directed to Mr. Cris Morgan.

### **ADOPTION OF PROPOSED REGULATIONS**

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

### **FISCAL AND ECONOMIC IMPACT**

The CHP has made an initial determination that this proposed regulatory action: (1) will have no affect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no nondiscretionary or reimbursable costs or savings to any local agency or school district; nor costs or savings to any state agency or federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

### **COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES**

The CHP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **EFFECT ON SMALL BUSINESSES**

The CHP has determined that the proposed regulatory action will not affect small businesses. This proposed regulatory action makes only technical, non-substantive or clarifying changes to current law and regulations.

### **ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

### **AUTHORITY**

This regulatory action is being taken pursuant to Vehicle Code Section 2402.

### **REFERENCE**

This action implements, interprets, or makes specific Vehicle Code Sections 2402 and 40800.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
S. J. VAUGHN, Chief  
Enforcement Services Division